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**UNITED STATES DISTRICT COURT**  
**NORTHERN DISTRICT OF CALIFORNIA**

ANIBAL RODRIGUEZ, SAL CATALDO,  
 JULIAN SANTIAGO, and SUSAN LYNN  
 HARVEY individually and on behalf of all  
 other similarly situated,

Plaintiffs,

v.

GOOGLE LLC,

Defendant.

Case No.: 3:20-cv-04688-RS

**SECOND DECLARATION OF MARK  
 MAO IN SUPPORT OF PLAINTIFFS'  
 MOTION FOR CLASS CERTIFICATION  
 (DKT. 315)**

Judge: Hon. Richard Seeborg  
 Courtroom 3 – 17th Floor  
 Date: October 5, 2023  
 Time: 1:30 p.m.

## **SECOND DECLARATION OF MARK MAO**

I, Mark Mao, declare as follows.

1. I am a partner with the law firm of Boies Schiller Flexner LLP (“BSF”), counsel for Plaintiffs in this matter. I am an attorney at law duly licensed to practice before all courts of the State of California. I have personal knowledge of the matters set forth herein and am competent to testify.

2. I submit this Declaration in support of Plaintiffs' motion for class certification (Dkt. 315). For ease of reference, I have numbered the exhibits attached hereto so as to continue where the exhibit numbering left off in my prior Declaration in Support of Plaintiffs' Motion for Class Certification (Dkt. 315-14), filed July 20, 2023. The final exhibit to that Declaration was Exhibit 69, so this Declaration begins with Exhibit 70.

3. Attached hereto as **Exhibit 70** is a true and correct copy of excerpts from the deposition transcript of Google's Rule 30(b)(6) designee and Group Product Manager for Google Analytics, Steve Ganem, taken October 28, 2022.

4. Attached hereto as **Exhibit 71** is a true and correct copy of a document Google produced in discovery labeled GOOG-RDGZ-00149617.

5. Attached hereto as **Exhibit 72** is a true and correct copy of excerpts from the deposition transcript of Plaintiffs' expert Jonathan Hochman, taken June 26, 2023.

6. Attached hereto as **Exhibit 73** is a true and correct copy of excerpts from the deposition transcript of Google's Senior Director of Product Management Eric Miraglia, taken October 25, 2022.

7. Attached hereto as **Exhibit 74** is a true and correct copy of excerpts from the deposition transcript of Plaintiff Susan Harvey, taken October 27, 2022.

8. Attached hereto as **Exhibit 75** is a true and correct copy of excerpts from the deposition transcript of Plaintiff Anibal Rodriguez, taken October 16, 2022.

1           9. Attached hereto as **Exhibit 76** is a true and correct copy of excerpts from the  
2 deposition transcript of Plaintiff Julian Santiago, taken March 7, 2022.

3           10. Attached hereto as **Exhibit 77** is a true and correct copy of excerpts from the  
4 deposition transcript of Plaintiff Sal Cataldo, taken February 17, 2022.

5           11. Attached hereto as **Exhibit 78** is a true and correct copy of excerpts from the  
6 deposition transcript of Google's expert Donna Hoffman, taken July 11, 2023.

7           12. Attached hereto as **Exhibit 79** is a true and correct copy of excerpts from the  
8 deposition transcript of Google's expert John Black, taken July 14, 2023.

9           13. Attached hereto as **Exhibit 80** is a true and correct copy of an excerpt from  
10 Google's Supplemental Objections and Responses to Plaintiffs' Interrogatories Set Seven, dated  
11 February 10, 2023, including Google's response to Interrogatory Nineteen.

12       14. Attached hereto as **Exhibit 81** is a true and correct copy of excerpts from Google's  
13 motion for summary judgment filed in *Calhoun v. Google LLC*, Case No. 5:20-CV-5146, Dkt.  
14 395.

16 I declare under penalty of perjury under the laws of the United States of America that the  
17 foregoing is true and correct. Executed this 21st day of September 2023, at San Francisco, California.

/s/ *Mark Mao*